NOVA SCOTIA ADVISORY COUNCIL ON THE STATUS OF WOMEN

Annual Report

For The Year Ending March 31, 1984

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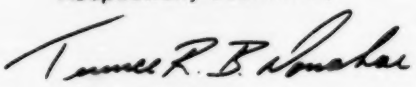
To His Honour

The Honourable Alan R. Abraham, C.D.
the Lieutenant Governor of Nova Scotia

Sir:

I have the honour to submit herewith the report of the Nova Scotia Advisory Council on the Status of Women for the fiscal year ended March 31, 1984.

Respectfully submitted,



T.R.B. Donahoe
Minister Responsible for
Status of Women

The Honourable T.R.B. Donahoe
Minister Responsible for the
Status of Women
Province of Nova Scotia
Halifax, Nova Scotia

Sir:

I have the privilege on behalf of the Nova Scotia Advisory Council for the Status of Women to present our report on the work of the Council for the fiscal year ended March 31, 1984.

Respectfully submitted,

Francene Cosman

Francene J. Cosman (Mrs.)
President

NOVA SCOTIA ADVISORY COUNCIL ON THE STATUS OF WOMEN

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COUNCIL'S MANDATE

The Nova Scotia Advisory Council on the Status of Women is a group of 13 persons appointed by Cabinet. Its membership includes an elected chairperson and vice chairperson and an appointed full-time President. The Council meets five times a year, with provision for up to five special meetings if required. Three standing committees — Legislative, Program and Personnel — meet and make recommendations to the Council.

The Mandate of the Council is twofold:

1) to advise the Minister upon such matters relating to the status of women as referred to the Council for consideration by the Minister, and
2) to bring to the attention of the Minister matters of interest and concern to women.

The Council in carrying out its duties may:

- receive and hear petitions and suggestions concerning the status of women
- undertake and recommend research on matters relevant to the status of women
- recommend and participate in programs concerning the status of women
- propose legislation, policies and practices to promote equality of opportunity and status
- publish reports, studies and recommendations.

ANNUAL REPORT

Throughout the period of March 1983 to March 1984, the Advisory Council was involved in activities focusing on the needs of women in Nova Scotia.

Members of the Council are from various regions of the province and are in close working contact with many women's groups.

During the past year, five Council Meetings were held. The Executive Committee met six times and the Program, Personnel and Legislative Committees met a total of eleven times.

Four issues of the Newsletter (quarterly) were produced and sent to the 700(+) women's groups and individuals on the mailing list. In addition to keeping them informed of Council's activities, the Newsletter focused on the timely subjects of child abuse, women and the media, Sequential Family Life Science, and pension reform.

Regional meetings on Family Violence have met with a positive response. Beginning with last year's Annual Meeting, a panel of experts on battering, assault and child abuse has contributed much to the awareness of the problem. Similar panel discussions have been held in Port Hawkesbury and Amherst. As well, a Regional Meeting on pensions was held in Baddeck, Cape Breton.

During the past year the Council presented briefs on a variety of topics: on March 30, 1983, a brief was presented to the Provincial Task Force on Day Care; on May 6, 1983, representation was made before the Law Amendments Committee respecting changes to legislation affecting the unwed mother; on May 20, 1983, the Council presented its response on micro-technology to the Minister responsible for the Status of Women; on September 28, 1983, a brief to the Parliamentary Task Force on Pension Reform was presented, highlighting our proposal for a model to provide pensions for homemakers.

Formal research was conducted in the preparation of a brief on post-secondary education. On November 1, 1983, the brief was submitted to the Royal Commission on Post-Secondary Education.

Formal research was conducted on the Nova Scotia Labour Standards Code. The Council, through its Legislative Committee, conducted three public meetings to seek public input and received sixteen written and verbal submissions, culminating in a series of recommended changes for inclusion in the Labour Stan-

dards Code, with particular emphasis on equal pay for work of equal value. The recommendations were submitted to the Government of Nova Scotia on November 14, 1983.

The Council's publications continue to be in heavy demand. "Survival ... a Source-book for Widows" is in its fourth printing; "Wife-Battering: A Criminal Offense" is a new publication receiving much attention, and a pamphlet, "Child Abuse", has been widely circulated. Plans are being made for an information kit for teenage females for use in the schools of Nova Scotia, including information on career choices, health issues and social issues.

The Council has held meetings with women's groups, including the National Action Committee on June 14, 1983, the Catholic Women's League on November 25, 1983, and the Provincial Council of Women on November 25, 1983. In February, the leaders of the Liberal Party of Nova Scotia and the New Democratic Party of Nova Scotia addressed the Council on women's concerns.

In June 1983, our part-time fieldworker resigned to go to a full-time position. She has been missed and the Council wishes her well. In October, a new Co-Ordinator of Regional Services was hired, one of whose responsibilities it is to oversee the fieldworkers in an effort to establish a strong grass-roots network among our Nova Scotian women. In December 1983, a new fieldworker was hired for the Eastern Shore, and a second part-time fieldworker is to be hired in another region. We wish them a very successful year.

The Advisory Council's display module was exhibited in the Festival of the Straits in the Summer.

The Advisory Council thanks the Administrator and staff for their support and assistance throughout the past year.

HIGHLIGHTS OF THE PRESIDENT'S ACTIVITIES

Among the many groups addressed by the President in past year were:

- Canadian Congress for Learning Opportunities for Women
- East Preston Lionettes
- Federal Women's Caucus
- Cole Harbour District High School
- Canadian Pensioners Concerned
- St. Andrew's United Church Women
- Professional Engineer's Wives Association
- Lunenburg County Women's Group (Second Storey)
- Dartmouth Y.W.C.A. Women's Issues Group
- Bedford University Women's Club

Women's issues received an increased amount of media attention this year. The focus was on family violence, pornography and pension reform. The President participated in a number of interviews, including the C.B.C. television show "Inquiry", the C.B.C. Halifax "Open Line" radio show, Atlantic Television Station in Halifax, C.K.E.N. Radio in Kentville, C.B.C Radio in Sydney, C.J.C.H. Radio in Halifax, C-100 FM Radio in Halifax, and C.J.L.S. Radio in Yarmouth. In addition, twenty-six press releases, distributed to papers with wide circulation, referred to a wide range of issues.

The President attended meetings of the Provincial Task Force on Day Care in Dartmouth and Halifax, and presented the Council's position paper on Day Care at the hearings held at Mount St. Vincent University. In April, the President participated in the Nova Scotia prayer breakfast. On May 30 and 31st, 1983, she attended the Joint Federal/Provincial/Territorial Meetings of the Ministers Responsible for the Status of Women.

In June the President attended the Y.W.C.A. Recognition Dinner in Halifax, honouring outstanding women of the metropolitan region.

In August, Mr. Edmond Ambrose, Chief Executive Officer, Administration and Finance, Minister of Community Development and Women's Affairs, from Zimbabwe visited the President to receive a briefing on Nova Scotia's activities for women.

The President visited Transition House and Bryony House in Halifax. She attended a meeting with Judge R. Abella, Chairman of the Federal Government's Commission of Inquiry on Equality

in Employment.

In October, the President attended a meeting of the Canadian and Provincial Advisory Council in Edmonton, Alberta.

The President attended a luncheon with women's groups from the metropolitan regions to meet the Canadian Advisory Council's Eastern Region Vice-President, Madame Helene Boyle.

In February 1984, she attended the meeting of Canadian and Provincial Advisory Councils in Ottawa.

The President attended meetings in Port Hawkesbury and Amherst with panel discussions on family violence, and in Halifax, Yarmouth and Sydney dealing with the Labour Standards Code.

The President is a member of the following interdepartmental committees of government: the Committee on the Prevention of Family Violence at the Department of Social Services, the Affirmative Action Subcommittee of the Department of Labour and Manpower, and the Joint Human Rights-Education Committee.

HIGHLIGHTS OF BRIEFS

Brief Presented to the Task Force on Day Care, March 30, 1983

Recommendations

1. That infant spaces be increased.
2. That the concept of satellite infant day care similar to that sponsored by the Evangeline Day Care Centre in Kentville be explored further by the Department of Social Services and that if additional start-up funding, training, etc. is needed, the government include this in its funding requirements for child care.
3. That the Department of Education and the Department of Social Services jointly explore the possibility of establishing and funding a program for latch key children. That the District School Boards be approached for their co-operation in making school facilities available where there is considered a need for such a program.
4. That child welfare legislation be drafted to state among other things that "children up to the age of 12 years have to be provided with alternative supervision in the absence of their parents."
5. That qualifed regional supervisors be employed to inspect licensed day care centres.
6. That all directors complete a provincially reccgnized and approved program in child care and development.
7. That the "Day Care Act and Regulations," Chapter 6 (Statutes of Nova Scotia, 1978) require some members of staff in every centre (both non-profit and private) to have specialized knowledge of and adequate experience in early childhood care and development.
8. That a minimum training standard be established at all institutes offering child-care training.
9. That the required standard courses include specialized knowledge and recognition of the learning-disabled child.
10. That a guarantee maintenance grant be provided for each centre based on the number of child-care spaces.
11. That the task force give considerable thought to developing a policy to improve the wage-earnings and benefits of child-care givers.
12. That Nova Scotia recommend that the Income Tax Canada Act relating to child care expenses be amended to reflect a

more realistic provision for child-care expenses.

Highlights of the Submission to the Law Amendments Committee Concerning Bill 60 and 61 Respecting Changes to the Family Maintenance Act, May 6, 1983

SUPPORT STRUCTURE

1. Sequential Family Life Science

Of the approximately 70-80 unmarried mothers under the age of 21 added to the Family Benefits Program yearly, most had little or no sex education. The Advisory Council has strongly emphasized the need for compulsory programs in Sequential Family Life Science. This program would encompass many topics, not the least of which would be goals, moral values, responsibility, family life, information on parenting, and all aspects of that responsibility. We view it as essential that this type of program be offered from elementary grades through junior and senior high school as a part of the compulsory core curriculum. With such a program in place we expect that the figure of 70-80 unmarried mothers under the age of 21 would decline dramatically.

The need for Sequential Family Life Science Programs has been identified and expressed often to government, most recently, in February 1983 by many persons submitting briefs to the Select Committee on Health.

2. Infant Day Care

The need for a high ratio of caregivers to infants and the lack of infant day care across Nova Scotia is a serious constraint to successfully implementing changes. Availability of infant day care spaces is extremely limited, particularly in rural parts of the province. With 50.3% of women working outside the home and 43% of married women working outside the home, it cannot be anticipated that the unwed teen's family will be available or willing to provide infant care during normal working hours. Of the currently subsidized day-care spaces, it will be necessary to add 50 -60 new infant spaces. Because existing subsidized day-care spaces are already in demand, it cannot be considered that those 50-60 infant spaces would be subtracted from current day-care spaces for exlusive use by infants.

3. Transportation

There is a lack of bus and taxi service available in many small

rural areas. This poses transportation problems for the teen and her infant, both for delivering the infant to the care giver and for taking the teen to her place of job training. Will this necessitate removing both mother and infant from the emotional support system of family and friends to a larger center where this transportation problem won't exist?

4. Parent Locator

The desire to have the infant's father involved in financial support has been noted. This will necessitate improved reciprocal arrangements for maintenance orders, et cetera. The parent locator service in the United States is designed to meet both urban and rural demands. We recommend that this system be reviewed by the Department of Social Services to determine whether it could be applied to a Nova Scotia setting.

5. Parent Counselling

It is essential that adequate counselling take place in health, nutrition, sexuality and parenting, among other topics. This counselling should be provided at two levels. The primary level would be intended for the teen and her infant. The secondary level would be for the families of the teen where warranted.

6. Job Training and Employment

If the intent of the program is to prepare the unwed mother for job training and eventual employment, thereby breaking the dependency cycle on Social Assistance, it will be necessary to ensure that adequate opportunities for job training and employment are available. At present, general upgrading courses are in high demand. There are waiting lists for these courses. Training programmes for traditional "female jobs" also have waiting lists, and as a rule, courses with openings require higher levels of training, as in computer technology and business education.

There is, of course, no guarantee that in a depressed economy jobs will be available for these young women. Affirmative action programs may be a necessary step to provide job placement.

7. Family Court

A problem exists with the workload already handled by Family Court. Complaints of time lag and workload are heard frequently. It will therefore be necessary to devise a system whereby processing Maintenance Orders and enforcing the decisions of

Family Court will be expedited.

We offer the following comments on the proposed amendments:

We offer the following comments on the proposed amendments:

1. Amendments to the Family Maintenance Act provide guidance to the Court by suggesting that the Court consider as a minimal standard the amount Family Benefits pays for a dependent child ($74.00). The Court knows what a reasonable budget is and how much is needed to live a basic existence. For example, four years ago awards of $20.00 per week were made against a father collecting U.I.C. Now similar awards are made of $25.00 to $30.00 per week. The amount Family Benefits allows for recipients has traditionally been argued by solicitors as a norm for the judge to consider. The bottom line is always the ability to pay. The age of the father, his employment status, and so on must be considered.

The Court has always been aware of the need to award enough money to provide for a responsible budget. This is putting into law what has always been done in practice. However, in a nonpayment situation this practice will not accomplish what it sets out to do. For example, keeping the minimal standard at $1.00 guarantees that the recipient will receive the full Family Benefit. We urge that the Law Amendments Committee review the Cape Breton Pilot Project, in which the recipient receives full Family Maintenance and the Court pursues the payment award in the event of the failure to pay the award.

2. Powers given to the Court to garnishee wages at the time that the order for maintenance is made are exercised when a summons on arrears is brought before the Court. Although this is undoubtedly progressive practice, one will probably have to satisfy the Judge that such a breach will occur. Garnishee provisions upon an order for maintenance first being granted will most likely not be used carte blanche.

We feel that this is a positive step although it is unlikely that the Family Court Judge will garnishee wages at the first Court Order unless he has sufficient evidence to believe there will be failure to pay.

3. Power to vary maintenance orders has always been an option for recipients. Automatic cost of living adjustments will result in a heavier court docket, as debtors will respond by claiming that they have been subject to the same cost of living increases, that

there has been no change in their financial circumstances, etc.
4. An automatic review every six years has been proposed. If no review has occurred prior to that time, it is unlikely that much change will occur at the time of review. Variation provisions are available at any time to recipients. The Court will require recipients to disclose the whereabouts of the father. If the recipient is unable to provide this information, Family Court cannot follow up. Carrying out reciprocal enforcements through the Family Court is presently a lengthy procedure, and no provisions have been made to increase Court staff.

Variation provisions are already in existence, and we question what changes will be made in the administrative staff in order to carry out the automatic review.
5. Registration of a Judgment in the Registry Office acts as a lien against the property of the debtor. If the debtor has real property, the Act already provides for security for maintenance, under Section 35(1). The Court is presently able to require a change, i.e., that a mortgage be placed on the property to ensure payments. This will only work where property is owned to place a lien against.

We wish to comment on the requirements being placed on the Family Court as a result of this legislation. If it is the intent of the legislation to tighten up the system and to make more available use of the Family Court, then we ask that provisions be made to increase staff support and add to the number of Family Court Judges. We note that under the Family Benefits Act, the requirements to disclose the father's name and whereabouts has always been a condition for eligibility for Family Maintenance. We are concerned that if this practice becomes law, it will be difficult to administer if the name of the father and his whereabouts are unknown.

The proposed legislation has the potential of being progressive and useful if the father is employed.

Highlights of the Brief Presented to the Parliamentary Task Force on Pension Reform September 28, 1983

The green paper sets out a number of recommendations in section 1 under Employee Sponsored Plans. On page 26 of the green paper, in which mandatory inflation protection is discussed, the Nova Scotia Advisory Council supports the excess interest approach. According to this approach, pension benefits would be protected against inflation so that benefits would be improved

out of gains to pension funds arising from investment earnings in excess of those assumed by the actuary in forecasting costs. For example, if the interest rate assumed was 6%, but the actual rate of return on the pension assets was 10%, the fund would earn interest at the rate of 4% in excess of that anticipated. Assets would be segregated between active and retired lives, with excess interest earnings on those assets pertaining to pensioners, utilized to benefit them. Benefits relative to active members would be upgraded by excess interest gains on the applicable assets only if such benefits were based on career average earnings, rather than on final average earnings.

Again under section 1, Earlier Vesting, page 28 of the green paper suggests 2 years; the Nova Scotia Advisory Council supports 1 year. The green paper discusses Improving Portability on page 29; our view is that employees who change jobs should be enabled to transfer pension credits. We support the option of transferring the value of a deferred pension benefit to a locked-in R.R.S.P.

The green paper speaks of Improved Treatment of Spouses (page 30). The Nova Scotia Advisory Council believes that the retirement survivor's benefits should be paid out over the lives of both spouses.

On page 31, the green paper speaks of Compulsory Membership for all Employees. The Advisory Council maintains that all employers should be required to provide pension plans for employees age 18 to 64, working on a full-time or a part-time basis.

Section 2 of the green paper discusses Government Sponsored Contributory Pension Plans. With the Government of Ontario's announcement that it would no longer block the child-rearing drop-out provision of the Canada Pension Plan, the way has been opened for implementation of this long outstanding clause. The Nova Scotia Advisory Council on the Status of Women supports the provision of pension benefits under the Canada Pension Plan to women during periods spent in the home, either raising children or caring for the severely disabled, who would otherwise have to be cared for in institutions. In terms of the care of children, service to be counted as pensionable under the Canada Pension Plan would be restricted to the years spent at home with children younger than seven.

The green paper discusses improving survivor benefits. The Nova Scotia Advisory Council supports splitting pension credits automatically within three years after divorce, and at retirement.

The green paper refers to Ensuring Adequate Guaranteed Minimum Incomes as soon as resources permit; the Nova Scotia Advisory Council addressed this issue in its opening comments about poverty and females, and urges the Government of Canada to ensure adequate guaranteed minimum incomes with the least possible delay.

The green paper addresses very briefly the question of Pensions for Homemakers with the statement: "The Government of Canada has not, however, seen alternatives which are free of important shortcomings." The Nova Scotia Advisory Council offers the following model for homemakers' pensions. (For purposes of discussion on homemakers' pensions, we define a "homemaker" as a person whose main occupation is to keep house for someone else without fixed renumeration.)

We recommend:

1. That every homemaker be credited with pensionable earnings for Canada Pension Plan purposes equal to the lesser of: 1) 50 percent of the national average industrial wage, or 2) 50 percent of the spouse's earnings.

2. That income in the above category (number 1) be reduced by any earnings the homemaker has received from employment that counts for Canada Pension Plan purposes.

3. That the spouse's earnings be reduced for Canada Pension Plan purposes by the amount credited to the homemaker. The reduction will be accompanied by any reduction in contributions.

4. That contributions on the amount credited to the homemaker will be made at the self-employed rate to the extent that such contributions have not already been made.

Examples

Based on the assumption that the Year's Maximum Pensionable Earnings have been raised to the Average Industrial Wage and that the figure is $20,000, and that the husband is the wage earner:

a) Husband earns *less than* the Average Industrial Wage, e.g., $18,000. The amount credited to the homemaker is the lesser of 50 percent of the A.I.W., or 50 percent of earnings, in this case $9,000.

Husband's pensionable earnings for the Canada Pension Plan purposes are reduced to $9,000. However, he and his employer have already made contributions based on $18,000. Therefore, no contributions from the homemaker are required.

If the homemaker had part-time employment, giving an income of $5,000, then the amount credited is $4,000. Again, no contributions on this $4,000 are required.

b) Husband earns *more than* the Average Industrial Wage (between 100% and 150% of the A.I.W.), e.g. $26,000. The amount credited to the homemaker is the lesser of 50 percent of the A.I.W. or 50 percent of earnings. In this case the homemaker is credited with $10,000. The husband's pensionable earnings for Canada Pension Plan purposes are reduced by $10,000 to $16,000. However, he and his employer have already contributed on $20,000; thus contributions have been made on $4,000 on the homemakers credit, and she need contribute only on $6,000.

c) Husband earns *more than* 150 percent of the Average Industrial Wage, e.g. $34,000. The amount credited to the homemaker is the lesser of 50 percent of the A.I.W. or 50 percent of earnings. In this case the homemaker is credited with $10,000. The husband's pensionable earnings for Canada Pension Plan purposes are reduced to $24,000, which is more than $20,000. Therefore, he is credited with $20,000. The homemaker must contribute on the entire amount of her credit.

5. In the event that a homemaker's husband is unemployed, or a homemaker cares for an elderly person or a disabled person with an income, the credit would be 50 percent of the spouse's income, even though that income does not count for the purpose of Canada Pension Plan, for example, investment income, disability payments, UIC benefits, pension income, etc.

Summary and Recommendations of a Brief Presented to the Royal Commission on Post-Secondary Education, November 1, 1983

INFORMATION AND ACCESS

We commend the Nova Scotia Department of Education and C.E.I.C. for the inception in September, 1983 of the Pre-Technology for Women program at the Nova Scotia Institute of Technology. Since women have represented a declining propor-

tion of the student enrollment at the technical institutes while their absolute numbers have remained constant, it can be interpreted that enrollment growth at these non-university institutions is attributable to male enrollment in new programs in response to labour market demand.

1. *It is recommended* that the technical institutes undertake active promotion through career workshops to increase the awareness both of young women and re-entry women, of the training and job opportunities in the new technologies, such as computer technology and petroleum resource technology, so that women will consider these as viable and attractive career options.

More than 40% of the women interviewed did not know what institution or organization could advise them on any additional education they might need.

2. *It is recommended* that post-secondary institutions increase public awareness of their programs and services by more effective promotion strategies, especially in those areas not directly served by these institutions. For instance, a representative of a post-secondary institution would visit communities on a regular basis to establish a high profile for both the institution and its representative. In addition, a resident of the community could be designated to serve as a contact for the post-secondary institution.
3. *It is also recommended* that the adult education administrator at the school board level be charged with ensuring that counselling services and information on post-secondary education are available to the general public, and that such resources are actively promoted. These services should be available after working hours, as well as during school hours.

SITUATIONAL BARRIERS

The cost of studying (tuition, books, child care, etc.) was identified as the greatest barrier for 58% of students or would-be students. Virtually all of these women indicated this factor as the major obstacle.

Eighty-seven percent of respondents were aware of the Canada Student Loan program; 33% had made use of this program. Some women reported that they were declared ineligible because of part-time studies or family income.

The new loan program for part-time students was unknown

to all respondents. This program provides for a loan of up to $600 at any one time, to a maximum of $2500.00, with repayment starting thirty days after receipt of the loan. Such a repayment schedule means that those who would be most in need of such a loan program, the unemployed, and financially dependent wives, would be least able to take advantage of the program.

4. *It is recommended* that the terms of the new Canada Student Loan program for part-time students, implemented in September, 1983, be examined and revised so that the service is equally accessible to all part-time students in need, those in financially dependent positions as well as those gainfully employed.
5. *It is furthermore recommended* that a designated number of places be made available to economically disadvantaged women who are not eligible for student aid and who, in the judgment of the post-secondary institution, have demonstrated a capacity to benefit from further studies. It is recommended that these places be classified as scholarships or bursaries co-operatively funded by the Province of Nova Scotia and the universities' own financial resources.

INSTITUTIONAL BARRIERS

Although some institutions are now engaging in distance education, the problems connected with availability of courses and scheduling structures were identified as two major institutional barriers. This was especially true of learners in rural areas, many of whom indicated that transportation problems were an additional barrier.

6. *It is recommended* that post-secondary institutions explore and implement a variety of approaches which will bring the learning situation to students at times and places convenient to them. It is especially important that these approaches be implemented in rural communities where residents are at the greatest disadvantage in relation to availability, scheduling, and distance.
7. *It is also recommended* that this distance education should:
   a) use the most sophisticated communications techniques, including two-way live broadcast from the classroom via satellite, audio- and video-cassettes, and self-instructional program packages.
   b) deliver post-secondary educational programs in rural

areas, with the school board continuing education administrator acting as a resource person and co-ordinator to assess needs, schedule classes, and handle administrative detail in co-operation with the post-secondary institutions. The cost of such services should be absorbed by the sponsoring post-secondary institution(s).

SCIENCE EDUCATION

Science has traditionally been regarded as a male domain. When a culture sex-types a domain as masculine, girls need special encouragement to overcome the inhibiting effects of the culture.

Science teaching at the elementary level builds on informal knowledge which many girls do not possess.

8. *It is recommended* that classroom learning projects be implemented as part of the approved curriculum at the elementary level to improve girls' understanding of basis physical concepts.

Evidence suggests that girls may be less careeer orientated than boys. In addition, when they do indicate career preferences, they are less likely to indicate preferences in which science courses seem relevant.

9. *It is recommended* that science and math-orientated career workshops be developed for junior and senior secondary school girls. These workshops would increase girls' knowledge and awareness of science and math-related occupations, provide girls with an opportunity to observe and interact with women in science and math-orientated occupations, and promote interest in science and math-related activities relelvant to careers.

Girls place a high value on social interests and careers of social service. This aspect of science is not generally emphasized.

10. *It is recommended* that courses and teaching methods in the physical sciences be developed at the high school level to encourage and sustain the interest and also the participation of girls. The subject matter should be presented in terms relevant to girls.

Math anxiety seems to be more of an inhibiting factor among females than among males.

11. *It is recommended* that special courses be developed at the high school level to deal with students who exhibit math-

anxiety symptoms.

COUNSELLING SERVICES

Based on present information, it appears that school boards are free to hire as counsellors persons lacking in expertise in this role. We fear that such a situation may result in young women faced with crucial decisions relating to education and career choices failing to receive appropriate guidance.

12. *It is recommended* that all high schools employ only counsellors who have met the criteria outlined in "Training for Guidance Counsellors".
    The criteria are summarized by the following extract:

    "The school counsellor should have an academic background which includes a degree in education or its equivalent and:

    1. *A Master's degree or equivalent approved course work in a degree program at the graduate level, with specialization in guidance, school counselling or counselling psychology from a recognized university or college.*

    or

    2. *A Certificate from the Guidance Block of the Nova Scotia Summer School."*†

    Further information regarding these criteria is to be found in Appendix A of this report.

Moreover, it has been noted that a number of post-secondary insitutions do not have a qualified counsellor on site to advise students on career or educational decisions. Among these are several operated by the Nova Scotia Department of Education, namely the Nova Scotia Institute of Technology, The Nova Scotia Land Survey Institute, and The Nova Scotia Nautical Institute.

13. *It is recommended* that the Department of Education ensure that appropriately qualified (i.e. according to the criteria of "Training for Guidance Counsellors") personnel be hired for

† "Training for Guidance Counsellors", in *Education Nova Scotia,* Nova Scotia Department of Education, May 20, 1981, p. 10.

educational and vocational counselling, and that such personnel have expertise in counselling women who are studying in non-traditional areas.

TEACHER EDUCATION AND COUNSELLOR EDUCATION

Many teachers of science in Nova Scotia secondary schools have found their continuing education ineffective or non-existent. Nova Scotia teachers are not required to take courses in gender and its effects on learning and achievement. It is therefore doubtful they will be fully aware of the factors influencing girls' achievement in science and mathematics.

14. *It is recommended* that continuing education programs for teachers about girls in mathematics and science be developed. These programs would examine teachers' expectations relating to girls' achievement in science and mathematics, develop teachers' awareness of factors contributing to girls' underachievement in these fields, and assist teachers to promote girls' interest and competence in these fields.
15. *It is recommended* that professional development for prospective teachers include objectives similar to those for continuing education of teachers in 14. above.

At present, school counsellors in Nova Scotia do not need special training beyond a Teachers' Certificate, nor are they required to take courses in gender and its effects on learning and achievement. It is therefore doubtful that they are fully aware of the factors which influence girls' career choices.

16. *It is recommended* that continuing education on non-sexist career counselling be developed for school counsellors and those in charge of counselling students in institutes and colleges under the direct control of the Nova Scotia Department of Education. These courses would examine counsellors' expectations relating to girls' achievement in science and mathematics, develop counsellors' awareness of factors contributing to girls' underachievement in these fields, and assist counsellors to promote girls' interest and competence in these fields.

POST-SECONDARY FACULTY

While the distribution of post-secondary diplomas and university degrees is reaching a more equitable balance between men and

women, concern is expressed that through their lack of participation in the sciences, particularly at the graduate level, women will be unable to compete for high-demand occupations. In addition, it is noted that women have a substantially lower completion rate for the Ph.D. degree than men. This shortage of women with the Ph.D. degree restricts the pool of qualified women for hiring and promotion within the university environment. At the same time a shortage of highly qualified scientists is projected, with negative consequences and particular impact on the industrial sector and the diffusion and implementation of the new technology.

17. *It is recommended* that the universities explore ways of overcoming barriers encountered by women who enroll in or fail to complete the Ph.D. degree. These ways could include greater flexibility in residency requirements, course transfers, and delivery of courses at times and locations more accessible to the learner.

Women constitute about 20% of the full-time teaching faculty at universities in Nova Scotia, mainly in the second and third ranks (Associate or Assistant Professors). As a group, female professors are less highly qualified than their male counterparts and have fewer years of experience in their present positions.

18. *It is recommended* that university administrative structures take affirmative action to enable women faculty members to achieve parity in qualifications and rank with their male counterparts.

Women faculty members at universities in Nova Scotia are more likely to be teaching on a part-time basis than are men. The consequences of such appointments include lack of benefits and lack of participation in pension plans.

19. *It is recommended* that persons in such part-time appointments not be penalized by fluctuating circumstances such as enrollments and course demand, and that there be made available benefit coverage which has portability and which is contributed to by both the employer and employee according to the terms of coverage for full-time regular appointments.

GRANTS TO POST-SECONDARY INSTITUTIONS

The present system of weighting part-time students used in the funding formula of the Maritime Provinces Higher Education Commission does not adequately recognize the high level of demand placed by the part-time student upon the administrative

and support services of post-secondary education institutions. This demand may weaken the availability of needed support services such as counselling to these students, a disproportionately high percentage of whom are women for whom such services are vital.

20. *It is recommended* that the weighting accorded part-time students be raised to 1.0 points* from the present 0.4 points* in the calculation of funding by the Maritime Provinces Higher Education Commission. Such an increase would recognize more realistically the actual costs incurred in time and services in meeting the needs of part-time students.

*In these instances referring to calculation within the funding formulae, a "part-time student" represents one full student-course within an academic year. Such may be the result of several different actual enrollment combinations, for example: one person enrolled in one full course; one person enrolled in two half courses; two persons each enrolled in one half course.

Recommendations Respecting the Labour Standards Code and Regulations (Chapter 10), Statutes of Nova Scotia, 1972
Prepared by The Nova Scotia Advisory Council on the Status of Women, November 1983.

1. RECOMMENDATIONS FOR INCLUSION IN THE NOVA SCOTIA LABOUR STANDARDS CODE

A. Microtechnology

It is recommended that a new section be drafted on microtechnology in the Nova Scotia Labour Standards Code

(1) In this section "technological change" means

(a) the introduction of new equipment or material; or

(b) a change in the manner in which work is carried out that is directly or indirectly related to the introduction of new equipment or material.

(2) Where there are fifty or more employees at an establishment a Committee of Technological Change shall be formed made up of two persons representing the employer and two persons representing the employees. The Committee will make all reasonable efforts to provide information to employees concerning health and safety and re-training programmes. It will work to

make the environment of the workplace more conducive to the well-being of employees. Without restricting the above, the Committee shall:

(a) provide information on health hazards to affected employees as is provided to it by the Minister.

(b) provide for hourly rest breaks for V.D.T. operators.

(c) provide for the re-training or re-positioning of employees that may be affected by technological change whether or not notice is received persuant to this section.

(3) An employer who proposes to effect a technological change that is likely to affect the terms and conditions or security of employment of an employee or number of employees shall give notice of the technological change to any Committee on Technological Change and to all affected employees.

(4) The notice referred to in subsection (2) shall be in writing and shall state:

(a) the nature of the technological change;

(b) the date upon which the employer proposes to effect the technological change;

(c) the approximate number and type of employees likely to be affected by the technological change;

(d) the effect that the technological change is likely to have on the terms and conditions or security of employment of the employees affected.

(5) The notice referred to in subsection (2) shall be given to the affected employees and the Committee, if one exists, at least:

(a) twelve weeks prior to the date on which the technological change is to be effected if the number of employees affected is less than five, and

(b) twenty-four weeks prior to the date on which the technological change is to be effected if the number of employees affected is greater than five.

(6) Where an employee alleges that:

(a) this section applies to an employer in respect of an alleged technological change; and

(b) the employer has failed to comply with this section, the employee may, not later than thirty days after the employee became aware, or in the opinion of the Director ought to have become aware, of the failure of the employer to comply with this section, apply to the Director for an order determining the matters so alleged.

(7) Upon receipt of an application for an order determining

the matters alleged under subsection (1) and after affording an opportunity for the parties to be heard, the Director may, by order:

(a) determine that this section does not apply to the employer in respect of the alleged technological change; or

(b) determine that this section does apply to the employer in respect of the alleged technological change and that the employer has failed to comply with this section in respect of the technological change; AND MAY

(c) direct the employer not to proceed with the technological change or alleged technological change for such period not in excess of ninety days, as the Director considers appropriate;

(d) require the reinstatement of any employee displaced by the employer as a result of the technological change; and

(e) where an employee is reinstated pursuant to paragraph (b), require the employer to reimburse the employee for any loss of pay suffered by the employee as a result of his or her displacement.

(8) An order of the Director made under paragraph (7) (b) in respect of an employer is deemed to be a notice of technological change given by the employer pursuant to this section.

(9) An employee who has made a complaint under subsection (1) and who is not satisfied with the result may make a complaint to the Tribunal in accordance with Section 21 of the Labour Standards Code. An employer who is not satisfied with a decision of the Director may make a similar complaint to the Tribunal.

2. Sexual Harassment

It is recommended that a new section on sexual harassment be drafted and included in the Nova Scotia Labour Standards Code.

3. Sick Leave

It is recommended that a new section be added to the Labour Standards Code similar to the Canadian Labour Standards Code providing for the retention of employment for a period of 12 weeks for all employees of 3 months or more consecutive employment, who must cease work due to illness and injury, and that the period of employ retention be extended for persons covered by the Worker's Compensation Board.

4. Equal Pay for Work of Equal Value

It is recommended that legislation concerning equal pay for work of equal value be passed by 1985. In the interim, amendments to current legislation should be implemented. (See page 10.)

The Nova Scotia Advisory Council reaffirms its statements

to Policy Board of November, 1982, recommending the implementation of equal pay for work of equal value legislation. The overwhelming response to the Labour Standards Code Review conducted by the Advisory Council is representative of broad-based support throughout the province on this major issue.

We refer the Government of Nova Scotia to the Equal Wages Guidelines entrenched since 1978 in the Canadian Human Rights Act, Sec. 11 (3) and Sec. 22 (2).

Sec. 11(3) Notwithstanding subsection (1), it is not a discriminatory practice to pay to male and female employees different wages if the difference is based on a factor prescribed by guidelines issued by the Canadian Human Rights Commission pursuant to subsection 22(2) to be a reasonable factor that justifies the difference.

Sec. 22 (2) The Commission may, at any time on application or on its own initiative, by order, issue a guideline setting forth the extent to which and the manner in which, in the opinion of the Commission, any provision of this Act applies in a particular case or in a class of cases described in the guideline. Any such guideline is, until it is subsequently revoked or modified, binding on the Commission and on any Human Rights Tribunal appointed pursuant to subsection 39 (1) with respect to the resolution of any complaint under Part III regarding a case falling within the description contained in the guideline.

Supplementary to the above:

1. Wages must be defined as total remuneration received, including all forms of benefits and employer contributions, directly or indirectly.

2. If the legislation is to apply to employees working in the same establishment, "establishment" must be broadly defined.

3. Any exceptions to the legislation must be clearly defined. A general exception such as "a factor other than sex" contained in our present legislation is not acceptable. The only exceptions we would consider reasonable would be:

(a) Seniority, where employees receive different wages based on their length of service with an employer;

(b) Red Circling, where employees continue to receive higher wages temporarily until the wage scale of their new classification catches up with the actual wages received;

(c) Rehabilitation assignments, where an employee has been assigned to a lower-paying job due to ill health or age, but continues to receive her or his former pay;

(d) Demotion Pay Provisions, where employees who are

demoted for various reasons continue to be paid their former salary, or

(e) Changes in Job Classification, where a whole group of employees continues to be paid at a higher rate despite declassification.

4. Awards must be retroactive to the date the legislation becomes effective.

5. Employers must not be able to reduce wages to comply with the legislation.

6. Single employees, groups of employees, or unions must be able to file complaints.

5. Part-time Work

It is recommended that legislation be implemented to:

(a) ensure that part-time workers receive the same protection, rights and benefits (on a prorated basis) as those now guaranteed to full-time workers;

(b) ensure that seasonal workers who work regularly each year for the same employer are allowed to participate in employer-sponsored benefit plans on the same basis as other part-time workers, and ensure that these workers are also allowed to accumulate credit for their months of employment so as to enable them to gain seniority for salary, increments, layoffs and recalls;

(c) introduce a new labour standard to establish the minimum number of hours per day for which a part-time employee must be paid if he/she is called in to work;

(d) ensure that part-time workers should receive equal pay for work of equal value, regardless of the average number of hours per week or month they work.

6. Civil Remedy

It is recommended that a section be included under Civil Remedy in the code such as that contained within s. 33 of the Alberta Act (*Employment Standards Act* R.S.A. 1980, c.E-10-1 as am.)

"S.33 Nothing in this Act affects:

(a) any civil remedy an empoyee has against his or her employer or that an employer has against his or her employee;

(b) a provision in an agreement, a right at common law or a custom that:

(i) provides to an employee wages, overtime pay, entitlements, vacations, maternity benefits, notice of termination of employment or other benefits at least equal to those provided under this Act, or

(ii) imposes on an employer an obligation or duty greater

than that provided under this Act."

B. Recommended Changes to the Labour Standards Code

1. Minimum Wage

It is recommended under Section 48, (3) be deleted because we believe it contravenes the spirit of the Human Rights protection in this province.

It is recommended that the word "handicapped" be deleted in Section 48 (2)(g).

2. Equal Pay (refer to page 5)

It is recommended that Section 55 be amended similar to the Saskatchewan Act, Labour Standards Act, s. 17:

(2) "No employer shall reduce the rate of pay to any of his employees in order to comply with this section.

(3) where an employer has contravened subsection (1), he shall not thereafter be entitled to reduce the rate of pay to which an employee is entitled on the grounds that the work is subsequently performed only by employees of the same sex."

Although some commentators view the prase "substantially the same work" as ambiguous, the words are common across the various jurisdictions and have a considerable body of jurisprudence behind them. Until different wording can be developed which is clearly superior to that which presently exists, no change should be made.

It is recommended that the rate of pay difference be based on any factor, other than sex, that would normally justify the difference, and also to extend equal treatment to benefits.

It is recommended that the employer be required (by law) to publicly display Section 55 (1) of the Labour Standards Code:

S.55 (1) An employer and any person acting on his behalf shall not pay a female employee at a rate of wages less than the rate of wages paid to a male employee employed by him for substantially the same work performed in the same establishment, the performance of which requires substantially equal skill, effort and responsibility, and which is performed under similar worker conditions.

It is recommended that a spot-check procedure be established or expanded to include a review of job titles and pay rates.

It is recommended that the Department of Labour specify an officer to administer equal pay regulations rather than assign the duty on a rotation basis among staff.

Pursuant to Statute 57 (1) it is recommended that retroactive

pay be awarded to the employee from date of commencement of discriminatory practice by the employer.

3. Maternity Leave

It is recommended that a new section be included similar to New Brunswick legislation, *Employment Standards Act* (S.N.B. 1982, C.E-72):

"An employer shall not refuse to employ a female person who is pregnant for reasons arising from her pregnancy only."

It is recommended that Section 56 be amended to read:

"...in his employ for a twelve month period immediately preceding the estimated date of birth."

It is recommended that Section 56 (1) of the code be amended similar to Saskatchewan legislation:

"Sec. 25(1) Where the pregnancy of an employee would unreasonably interfere with the performance of the employee's duties, her employer may require her to commence maternity leave not more than three months prior to the estimated date of birth.

(2) Where an employer requires an employee to commence maternity leave pursuant to subsection (1), the provisions of this Part apply mutatis to that maternity leave.

(3) In any prosecution alleging a violation of subsection (1) the onus shall be upon the employer to prove that the pregnancy of the employee would unreasonably interfere with her duties."

It is recommended that a section be added similar to Saskatchewan legislation:

"Sec. 27(1) No employer shall dismiss, lay off, suspend, or otherwise discriminate against an employee by reason of the fact that she:

(a) is pregnant;

(b) is temporarily disabled because of pregnancy; or

(c) has applied for maternity leave in accordance with this Part.

(2) In any prosecution alleging a violation of subsection (1) the onus shall be upon the employer to prove that the employee was dismissed, laid off, suspended or otherwise discriminated against for good and sufficient cause".

It is recommended that the following sections be added to Section 56 of the Labour Standards Code:

When there is a risk of miscarriage or a risk to the health of the mother or the child to be born caused by the pregnancy, the employee is entitled to a special maternity leave as prescribed by a medical certificate that states that such a risk exists and that

gives the expected date of delivery.

If such is the case, this leave is reputed to be the maternity leave provided for in section 17 as of the beginning date of the 8 weeks preceding the date of delivery.

When a legal or spontaneous miscarriage takes place before the beginning of the 20th week preceding the date provided for delivery, the employee is entitled to a maternity leave not to exceed 3 weeks.

If an employee gives birth to a stillborn child after the 20th week preceding the expected date of delivery, her maternity leave ends at the latest six (6) weeks after the date of the stillbirth.

It is recommended that a new section be added to Section 56 similar to Alberta's legislation, *Employment Standards Act,* R.S.A. 1980, c. E.-10 S.63 as am:

"Sec. 63 When an employee takes maternity leave under this Division and is unable to return to work after the expiration of the 6-week period following the actual date of delivery by reason of a medical condition arising, following the date of delivery, her employer shall grant her a further period of maternity leave without pay of not more than 3 weeks if she provides her employer with a medical condition arising, following the date of delivery if she is not able to return to work at that time."

It is recommended that Section 56(4) of the Labour Standards Code should be amended to read as a clearer legislative response similar to Saskatchewan's legislation, *Labour Standards Act:*

"Sec. 26 An employer who has granted maternity leave to an employee pursuant to this Part shall, at the expiration of the leave, reinstate the employee in the position occupied by her at the time such leave commenced or in a comparable position at not less than the wages and benefits that had accrued to her to the date that she commenced maternity leave and with no loss of accrued seniority or pension benefits."

It is recommended that *seniority* for the purposes of clarification shall mean the period of employment not excluding maternity leave.

It is recommended that a new section be added to deal with reverse onus similar to British Columbia legislation, *Employment Standards Act,* S.B.C. 1980 c.10 s. 55(2) as am:

"The burden of proving that

(a) the termination of an employee

(b) a change in a condition of employment without the

employee's written consent is not because of an absence authorized by this Part, because of an employee's pregnancy (or its effects) is on the employer."

4. Adoptive Leave

It is recommended that Section 56 A be amended as follows:

(1) An employer shall, upon the request of an employee and receipt of a certificate from the Minister of Social Services stating that the said employee has filed a notice of proposed adoption under the Children's Services Act of a child seven years of age or younger, grant the employee a leave of absence beginning on the day of the week on which the adoptive child comes into full care of the employee and such additional weeks up to five, as the employee requests.

(2) Where an employee reports for work upon the expiration of the period referred to in subsection (1) the employer shall permit the employee to resume work in the position occupied at the time such leave commenced or in a comparable position at not less than the wages and benefits that had accrued to the employee to the date that adoptive leave commenced with no loss of accrued seniority or pension benefits.

5. Termination of Employment

Pursuant to Section 67 A (1). it is recommended that a maximum of five years be considered.

II. RECOMMENDATIONS TO THE REGULATIONS

A. New Regulations

None

B. Changes to Existing Regulations

1. Domestic Servants

Pursuant to Regulations 2 (1) in the Labour Standards Code, it is recommended that only those persons employed in a private home less than 24 hours a week be exempted from application of the Code.

III. GENERAL RECOMMENDATIONS

A. It is recommended by the Nova Scotia Advisory Council that the name be changed from Department of Labour and Manpower to the Department of Labour and Human Resources.

B. It is recommended that the Labour Satndards Tribunal and the Minimum Wage Board have a minimum of 1 (one) female on either board.

C. It is recommended that an information program for women in regard to the Labour Standards Code be established.

D. It is recommended that the Department and Human Resources

consolidate all Acts pertaining to health and safety of all employees in such occupations as industry, mines etc.
E. Under the present code, equal pay and maternity leave are embodied in one section. It is recommended that these subject areas be dealt with independently.
F. No comments will be made to the amendments pending the report from the Royal Commission on Pensions in Nova Scotia.
G. It is recommended that the Government of Nova Scotia explore the establishment of a wage protection fund for the workers of Nova Scotia.

FINANCIAL REPORT

1982-1983 ACTUAL EXPENDITURES		$133,028.
Salaries and Wages	$76,709.	
Travel	$19,195.	
Professional Services	$10,705.	
Supplies and Services	$20,339.	
Other	$ 6,080.	
1983-1984 ESTIMATED BUDGET		$212,300.
Salaries and Wages	$112,600.	
Travel	$ 52,000.	
Professional Services	$ 20,400.	
Supplies and Services	$ 20,000.	
Other	$ 7,300.	